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## **PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**

**HEARING DATE:** August 22, 2002

**TO:** Orange County Zoning Administrator

**FROM:** Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Application PA 02-0062

**PROPOSAL:** Coastal Development Permit for a stealth designed communication facility consisting of the installation of two antennas mounted on an existing retaining wall within a lettered lot with associated equipment cabinets to be located below the retaining wall adjacent to Newport Coast Drive.

**LOCATION:** 22183 Newport Coast Drive, Newport Coast within a landscaped lot adjacent to Newport Coast Drive within the 5<sup>th</sup> Supervisorial District.

**APPLICANT:** The Consulting Group, on behalf of Cingular Wireless

**STAFF CONTACT:** James Thue, Project Manager  
Phone: (714) 834-2179 FAX: (714) 834-4652

**SYNOPSIS:** Current Planning Services Division recommends Zoning Administrator approval of PA 02-0062 subject to findings and conditions.

### **BACKGROUND:**

The project is located within the Newport Coast Planned Community in Planning Area 1C. The Newport Coast area is located in the coastal zone and is composed of the shoreline, the coastal shelf, gently sloping coastal hills, major canyons, and prominent ridgelines and the continuing development outlined within the Local Coastal Program. The site is located in Tract 15604, which consists of 47 custom home lots, which were approved under PA98-0037 and PA97-0180. The proposed project will be installed in Lot "O" of Tract 15604. Lot "O" contains a scenic easement and is maintained by the homeowners association. Cingular Wireless is proposing to construct and maintain a wireless facility within Lot "O". The project site is composed of a slope with extensively landscaped terrain. On top of the slope several custom homes overlook the open space easement and Newport Coast Drive.

Approval of this Planning Application is needed for a Coastal Development Permit. The Newport Coast Local Coastal Program states that communication facilities are a principal permitted use within this Planning Area subject to Zoning Administrator approval.

## **SURROUNDING LAND USE:**

All surrounding properties are zoned “PC - Planned Community” District. Open space easements are located to the north and south of the project site. Newport Coast Drive is located to the east. Located to the west are custom home lots that are perched on a ridge that is adjacent to Newport Coast Drive.

## **REFERRAL FOR COMMENT AND PUBLIC NOTICE:**

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site and occupants within 100 feet. Additionally, a notice was posted at the site, at the 300 N. Flower Building and Clerk of the Board Office, as required by established public hearing posting procedures. The proposal was distributed to several County divisions for review and comment. The recommended conditions of approval are included within Appendix B.

## **CEQA COMPLIANCE:**

Negative Declaration No. PA02-0062 has been prepared and was posted for public review on June 25, 2002. It is attached for your consideration and must be approved prior to project approval with a finding that it is adequate to satisfy the requirements of CEQA. Such a finding is included within Attachment A for consideration.

## **DISCUSSION/ANALYSIS:**

Cingular Wireless Services is proposing to install a wireless facility on a scenic easement maintained by the Home Owners Association. Currently, Cingular is experiencing coverage problems in the area. The development of this portion of the network will allow its customers improved access to Cingular's nationwide network. The project includes:

1. The installation of two antennas on the face of an existing crib wall. The antennas will be enclosed within a fiberglass cover and painted to match the existing crib wall. The antenna cover will be painted olive-green. The antennas will each measure 5'6" tall by 6" wide by 4" deep. A 24" wide cable tray will also be attached to the wall and will be painted to match the color of the wall.
2. The installation of one primary BTS unit and two secondary BTS units with associated electrical equipment including meter and telco board. All equipment will be installed on a raised concrete slab that will be located near the bottom of the hill. The BTS units will measure approximately 4.5' wide, 8' long, and 5' tall.
3. The Installation of screening vines and a 6' high wrought iron fence with a 3' wide access gate. The fence will measure 26' wide and 8 feet long. All the BTS units and associated equipment will be located within the fenced area. The lease area will measure approximately 26' X 8'.
4. The installation of a 4' wide access pathway including stairs made from railroad ties to be utilized in steep portions. Small footbridges will be constructed in order to cross the terrace drains. Access to the BTS cabinets will be from Skyridge (within the Pelican Crest Community) using the footpath, which will traverse parallel to the retaining wall to the site. The footpath has been delineated by the HOA as well as the Irvine Company.

The project will be using stealth design techniques including equipment painted to match the existing landscaped area and using vines to screen any visual impact that the fence and equipment may have on the surrounding area.

The antennas along with the fiberglass cover will be installed on an existing crib wall located below several custom homes. A grading permit will be required for the proposed project. Subdivision and Grading Services has required as a condition of approval for the applicant to submit a report prepared by a certified Engineer or Geologist analyzing the stability of the slope in a manner meeting the approval of the Manager, Subdivision and Grading Services. In the event that the Manager Subdivision and Grading Services Division determines that this project may effect the integrity and stability of the existing wall and/or slope, this project will not be implemented.

**CONCLUSION OR SUMMARY:**

The proposed project is a principal permitted use subject to Zoning Administrator approval of a Coastal Development Permit. The project will not be visible from Newport Coast Drive due to the stealth design of the facility. The applicant will continue to work with Subdivision and Grading Services to ensure that the stability of the slope will not be affected by the proposal. Staff supports approval of this project provided the applicant agree to the conditions of approval recommended for this project as stated in Appendix B.

**RECOMMENDED ACTION:**

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve Planning Application PA 02-0062 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Section Chief  
CPSD/Site Planning Section

JJT

**ATTACHMENTS:**

- Appendix A. Recommended Findings
- Appendix B. Recommended Conditions of Approval

**EXHIBITS:**

1. Project Site Photographs
2. Applicant's Letter of Explanation
3. Environmental Documentation
4. Project Plans

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.